

SENTENCE DATA SHEET

DEFENDANT: Omar Faraj Saeed al Hardan

CRIMINAL NO: 4:16-cr-3

GUILTY PLEA: Count One (Title 18, U.S.C., section 2339B) Attempting to Provide Material Support or Resources to a Designated Foreign Terrorist Organization;

**SUBSTANCE
OF PLEA**

AGREEMENT: Pursuant to Rule 11(c)(1)(A)(B) - Defendant agrees to enter a guilty plea to Count One of the Indictment; and waive his right to appeal, except for an upward departure or sentence above the statutory maximum, and waives his right to collateral attack.

In exchange, the United States: agrees not to recommend to the Court, at the time of sentencing, that the defendant be placed in a particular security level prison or in a specific geographic location, agrees not to seek a fine because the Defendant is indigent, agrees to move to remit the special assessment because the Defendant is indigent, and agrees that if the defendant persists in his guilty plea and fulfills the terms of this agreement, the United States will not oppose a two-point reduction for acceptance of responsibility and an additional one-point reduction under U.S.S.G. 3E1.1(b)(1), and will dismiss the remaining counts of the Indictment at the time of sentencing.

COUNT ONE: Attempting to Provide Material Support or Resources to Designated Foreign Terrorist Organization

ELEMENTS: Providing Material Support or Resources to a Designated Foreign Terrorist Organization:

- A. The defendant knowingly attempted to provide material support or resources to a foreign terrorist organization;

B. The defendant knew that the organization was a designated terrorist organization, or that the organization had engaged or was engaging in terrorist activity or terrorism; and

C. The offense occurred in whole or in part in the United States.

ELEMENTS: Attempt

A. The Defendant intended to commit the underlying offense; and

B. The defendant took some substantial step towards its completion.

PENALTIES: Count One – Imprisonment for not more than 20 years; and/or a fine of up to \$250,000;

**SENTENCING
GUIDELINES:** Advisory

**SUPERVISED
RELEASE:** Count One: Up to Life

[Please explain the effect of a violation of supervised release]

**SPECIAL
ASSESSMENT:** \$100 per count of conviction

ATTACHMENT: Plea Agreement